

NO. 83743-1

SUPREME COURT
STATE OF WASHINGTON

DELBERT WILLIAMS, APPELLANT

v.

LEONE & KEEBLE, INC., RESPONDENT

SECOND STATEMENT OF ADDITIONAL AUTHORITIES

LAW OFFICES OF RICHARD McKINNEY


By: Richard McKinney, WSBA No. 4895
201 W. North River Drive, Suite 520
Spokane, Washington 99201
509/327-2539; Fax: 509/327-2504

I.

The following case holds that for the priority of action rule to apply, the decision of the first tribunal must be res judicata as to the issues presented to all subsequent tribunals to consider the same case.

- 1.1. *Atlantic Cas. Ins. Co. v. Oregon Mut. Ins. Co.*, 137 Wn.App. 296, 153 P.3d 211 (2007).

RESPECTFULLY SUBMITTED THIS 31st day of January, 2011.


RICHARD MCKINNEY, WSBA No. 48957

WASHINGTON STATE SUPREME COURT

DELBERT WILLIAMS,

APPELLANT

v.

LEONE & KEEBLE, INC.,

RESPONDENT

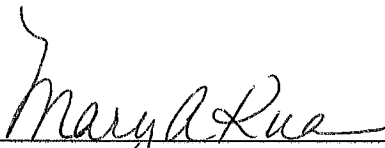
Washington Supreme Court
No. 83743-1

DECLARATION UNDER GR 17

Mary Rua makes the following Declaration under penalty of perjury under the laws of the State of Washington.

1. I am over the age of eighteen years and competent to testify to the matters stated herein, which are based on personal knowledge.
2. My place of business is the Law Office of Richard McKinney, 201 W. North River, Suite 520, Spokane, Washington 99201; 509/327-2539; fax: 509/327-2504.
3. I have examined the signature page of the Statement of Additional Authorities which is page 3 of this document totaling (4) pages including this Declaration, and determine it to be complete and legible and have confirmed the accuracy thereof telephonically.

EXECUTED in Spokane, Washington this 31st day of January, 2011.



Mary A. Rua

CERTIFICATE OF SERVICE

I hereby certify that on January 31st, 2011, the original and one (1) copy of the **Second Statement of Additional Authorities** were filed by mail with the Washington State Supreme Court, at the following address:

WASHINGTON STATE SUPREME COURT
Office of the Clerk
415 12th Avenue SW
PO Box 40929
Olympia, WA 98504-0929

In addition, I served one (1) copy of the **Second Statement of Additional Authorities**, via U.S. Mail, to the following:

Andrew C. Bohrsen
505 West Riverside Avenue, Suite 400
Spokane, Washington 99201

I certify under penalty of perjury, according to the laws of the State of Washington, that the foregoing is true and correct.



Mary A. Rua